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APR 16 2003

In re Application of  
Ejaz Haq  
Application No. 09/851,622  
Filed: May 8, 2001  
Attorney Docket No. 44176.00033

OFFICE OF PETITIONS  
ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 8, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed June 19, 2002, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on September 20, 2002.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$930 extension of time submitted with the petition on April 8, 2003 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at (703) 306-5684.

The application file is being forwarded to Technology Center 2800 for further processing.

Irvin Dingle  
Petitions Examiner  
Office of Petitions  
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for Patent Examination Policy